



NEW YORK INSTITUTE  
OF TECHNOLOGY

# 2023 Annual Security and Fire Safety Report

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# 2023 New York Institute of Technology Annual Security Report

New York Institute of Technology (New York Tech) prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and other federal laws and regulations which require colleges and universities to publish and distribute an annual security and fire safety report containing policies and procedures as well as campus crime and fire statistics. The full text of this report is located on the university's website at [nyit.edu/clery](https://nyit.edu/clery). This report is prepared in cooperation with the local law enforcement agencies surrounding our campuses, the Office of Campus Security under the Office of Capital Planning and Facilities, the Office of Compliance and Risk, the Title IX and Equity Office, the Division of Student Life, and the NYIT College of Osteopathic Medicine (NYITCOM). Each responsible entity provides updated information on their educational efforts and programs to comply with the act.

Campus crime, arrest, and referral statistics include those reported to the Office of Campus Security, designated campus officials, and local law enforcement agencies.

Each year, an email notification is sent to all enrolled students, faculty, and staff that provides the website URL to access this report. Students, faculty, and staff at NYITCOM in Jonesboro, Arkansas will receive notification and electronic access to both New York Tech's report and Arkansas State University's report. Copies of this report may also be obtained at the Office of Campus Security on the New York City or Long Island campus or via the Advisory Committee on Campus Security. The 2023 report follows.

## Office of Campus Security

The Office of Campus Security, under the Office of Capital Planning and Facilities, is responsible for the safety and security of students, staff, faculty members, and property at the university's New York campuses. Service is provided campus-wide 24 hours a day, 365 days a year at the New York City and Long Island locations. All security guards are trained in emergency response procedures (fires, bomb threats, and medical emergencies).

The NYITCOM campus in Jonesboro, Arkansas is part of the Arkansas State University (A-State) campus, and the A-State University Police Department (UPD) is responsible for safety and security at this location. A-State UPD officers are sworn law enforcement officers with arrest powers. More information on A-State UPD can be found in [A-State's Annual Security Report](#).

New York Tech's Office of Campus Security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the university. University security guards have the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff. Security officers do not possess arrest power. Criminal incidents are referred to the local police, who have jurisdiction on the campus. The Office of Campus Security maintains a highly professional working relationship with the local police forces. All crime victims and witnesses are strongly encouraged to immediately report any crime to the Office of Campus Security and the appropriate police agency. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics.

The Office of Campus Security maintains a close working relationship with the New York City Police Department, Nassau County Police Department, Brookville Police Department, and Old Westbury Police Department. Meetings are held between the leaders of these agencies on both a formal and informal basis. The university security staff and these agencies communicate regularly on the scene of incidents that occur in and around the campus areas. The Office of Campus Security works closely with the investigative staff at these agencies when incidents arise that require joint investigative efforts, resources, crime-related reports and exchange of information, as deemed necessary. New York Tech maintains written memoranda of understanding between the Office of Campus Security and the following agencies: Brookville Police Department; Old Westbury Police Department.

Community members, students, faculty, staff, and guests are encouraged to report all crime and public safety incidents to the Office of Campus Security in a timely manner.

Community members, students, faculty, staff, and guests are encouraged to report all crimes to local law enforcement agencies when the victim of a crime elects to or is unable to make such a report:

To report a crime or an emergency on campus, call 911 first. Then call Campus Security at:

- **Long Island:** 516.686.7789
- **New York City:** 646.273.7789

To report a non-emergency security or public safety related matter, call Campus Security at:

- **Long Island:** 516.686.7789
- **New York City:** 646.273.7789

For NYITCOM-Jonesboro, call 870.972.2093 for both emergency and non-emergency security and public safety matters occurring on that campus.

Dispatchers are available via 516.686.7789 24 hours a day to answer your call. In response to a call, Campus Security will take the required action, dispatching security personnel or asking the victim to report to Campus Security to file an incident report. Any Campus Security incident reports involving students are forwarded to the appropriate dean in the Division of Student Life for review and potential action by the Division of Student Life. Campus Security will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the appropriate dean in the Division of Student Life.

If assistance is required from the local police department or the fire department, Campus Security will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including Campus Security, will offer the victim a wide variety of services.

This publication and the university website have information about on-campus and off-campus resources. It is made available to provide New York Tech community members with specific information about resources available in the event they become the victim of a crime. The information about “resources” is not provided to infer that those resources are “reporting entities” for New York Tech.

When the victim of a crime elects to or is unable to make such a report, crimes should be reported to Campus Security to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. For example, a crime that was reported only to the local police may not be included in the university’s campus crime statistics.

New York Tech has no officially recognized student organizations with off-campus locations.

## Security Awareness and Crime Prevention Programs for Students and Employees

On a semi-annual schedule, students, faculty, and staff are informed of safety, security awareness, and crime prevention procedures and reminders through their university email. The same procedures and reminders are posted online at [nyit.edu/alerts](https://nyit.edu/alerts) or [nyit.edu/security](https://nyit.edu/security), and similar messages are posted throughout the year on the university's digital sign network. When time is of the essence, information is released to the university community through security alerts posted prominently throughout the website and the campuses' digital sign network, and relayed through emergency text and voice alert services.

During orientation for new undergraduate students, information is provided about services offered by Campus Security, as well as guidance in terms of personal safety and security.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. Campus Security has developed a list of practical tips for ensuring one's personal safety, available here: [Campus Security Precautions](#).

For example, among the resources made available are The Circle of 6 and a downloadable v-card for various offices' contact information. In September 2023, New York Tech launched Tech Safe, a security app specifically designed for the entire New York Tech community. Tech Safe will serve as New York Tech's own custom-branded safety app that offers a direct channel to the Office of Campus Security. Students, faculty, and staff may download the app here:

- [Apple App Store](#)
- [Google Play](#)

For information on NYITCOM-Jonesboro campus security awareness and crime prevention programs, please visit [A-State's Annual Security Report](#).

## Security of and Access to Facilities

Security and fire safety considerations go into the planning and design of all campus facilities. New York Tech encourages community members to promptly report to Campus Security any security concerns, including concerns about locking mechanisms, lighting, or landscaping. Campus Security works with the Office of Capital Planning and Facilities to ensure prompt repair of maintenance issues that pose a safety or security concern to the community.

Campus Security maintains control of access to campus facilities, monitors the issuance of keys, and administers security camera and alarm systems.

For information on NYITCOM-Jonesboro facility security and access, please visit [A-State's Annual Security Report](#).

### ***Campus Security Features***

- Parking lots, sidewalks, building entrances, and all major walkways on campuses are illuminated to provide safe routes for campus community members and to deter crime.
- Proper landscaping is maintained to ensure routes remain lit and passable.

- Security cameras are strategically located throughout all campuses.
- Campus security monitors and patrols all campuses 24 hours a day.
- All university buildings can be secured by a key or card lock system.
- Campus buildings are locked at approximately 11 p.m.
- After-hours access to locked academic buildings is restricted to authorized persons with key/card access.
- The New York City campus has security personnel at all building entrances.
- Students and employees must show ID cards for entrance to New York City campus buildings.

### **Campus Alone Program**

Campus Alone is a program provided by the Office of Campus Security and is available to all members of the campus community who work or study during the inactive non-business hours of evenings, weekends, holidays, etc.

Individuals should call the Office of Campus Security at 516.686.7789 if concerned for their personal safety while working/studying alone. When calling, please provide:

- Your name, location, and phone number in the building if you are working in an office.
- An estimated time of departure. (If this changes, you must advise us.)
- Your mode of travel and, if applicable, a vehicle description and location where you've parked your vehicle.
- Whether you desire a walking escort to your parked vehicle or other location.

Before you leave, you must call Campus Security again to confirm that you are well and that you are departing. Campus Security may check in on you at your location, particularly if they have not received your confirmation that you have departed.

### **Walking Escort Service**

The Office of Campus Security also provides an escort service, which offers a walking escort to and from campus buildings and parking fields. This service is available to the entire college community.

### **Shuttle Service**

New York Tech offers shuttle bus service throughout the Long Island campus during the fall and spring semesters. The shuttle runs weekdays until 11:30 p.m.

## ***On-Campus Residence Hall Security Features***

New York Tech does not maintain any on-campus residence halls at either of its New York locations. NYITCOM-Jonesboro has residence halls for students that are part of the A-State campus. Information on the security features of those residence halls may be found in [A-State's Annual Security Report](#). Other residence halls used by students at our Long Island and New York City campuses are located off campus.

## **Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

New York Tech prohibits sexual and gender-based violence, which includes the crimes of dating violence, domestic violence, sexual assault, and stalking. The university is committed to increasing the awareness and prevention of sexual and gender-based violence.

### ***Educational Programs***

To that end, New York Tech provides a variety of educational programs to new students and facilitates an ongoing education campaign for continuing students related to sexual assault, domestic and dating violence, and stalking.

First-year and transfer undergraduate students are required to complete online alcohol education and sexual assault prevention programs through Vector Solutions. These two-part programs require students to complete part of the training prior to the start of classes and again later in their first semester. First-year and transfer undergraduate students and incoming international students are also provided with in-person training during orientation. Officers of student organizations must also attend annual in-person training. First-year graduate and professional students are either provided with in-person primary prevention and awareness training during their initial arrival at New York Tech, or are required to complete an online program designed for graduate students through Vector Solutions. All new employees must also complete an online training course and are provided with additional information during new employee orientation. Employees are required to take an annual online refresher course on these topics.

These primary prevention and awareness programs for students and employees address: the definitions of sexual assault, domestic and dating violence, stalking, and consent; safe and positive options for bystander intervention; information on risk reduction techniques; reporting options; and confidentiality.

Additional ongoing prevention and education programs are provided for all students throughout the year and are conducted by the Title IX Office and the offices of Counseling and Wellness, Residential Life, and Student Life. Various student organizations also participate in sponsoring relevant programming. Last year, these events included: bystander intervention training, tabling with local sexual assault and domestic violence centers, and Take Back the Night. In addition, New York Tech campuses held awareness campaigns for Domestic Violence Awareness Month and Sexual Assault Awareness Month.

### ***Gender-Based Misconduct Policy***

New York Tech's Gender-Based Misconduct Policy, which is part of the Student Handbook, includes all information related to reporting and responding to incidents of dating violence, domestic violence, sexual assault, and stalking and is available [here](#), or may be found by visiting

[nyit.edu/policies/collection/gender\\_based\\_misconduct\\_policy](https://nyit.edu/policies/collection/gender_based_misconduct_policy). A copy of this policy is provided to any student or employee who reports that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus. Parts of the policy are referenced or excerpted below.

## Definitions

State law defines various violent and/or non-consensual sexual acts as crimes. New York State definitions may be found [here](#) under “Criminal law resources.” While some of these acts have parallels in criminal law, New York Tech has defined categories of sexual or gender-based acts for which disciplinary charges may be brought against a student or employee, in compliance with Title IX. Acts of gender-based misconduct defined below may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Title IX gender-based misconduct includes the actual or attempted offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

### 1. Quid Pro Quo Sexual Harassment:

1. an employee of the institution,
2. conditions (implicitly or explicitly) the provision of an aid, benefit, or service of the institution,
3. on an individual's participation in unwelcome sexual conduct.

### 2. Title IX Sexual Harassment:

1. **unwelcome** conduct
2. of a sexual nature or based on a person's gender/gender stereotypes, including sexual orientation, gender identity or expression
3. determined by a reasonable person,
4. to be so severe, and
5. pervasive, and,
6. objectively offensive,
7. that it effectively denies a person equal access to the institution's education program or activity.

*Note: **Unwelcomeness** is subjective and determined by the complainant (except when the complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances.*

### 3. Sexual assault, defined as:

1. Sex Offenses, Forcible:
  - Any **sexual act** directed against another person,
  - without the consent of the complainant,
  - including instances in which the complainant is incapable of **giving consent**.
2. Sex Offenses, Non-forcible:
  - Incest:
    1. Non-forcible sexual intercourse,
    2. between persons who are related to each other,

3. within the degrees wherein marriage is prohibited by applicable state law.
- Statutory Rape:
  1. Non-forcible sexual intercourse,
  2. with a person who is under the statutory age of consent of the applicable state.

*For the purposes of this definition, **sexual acts include:***

**Forcible Rape:**

- Penetration,
- no matter how slight,
- of the vagina or anus with any body part or object, or
- oral penetration by a sex organ of another person,
- without the consent of the complainant.

**Forcible Sodomy:**

- Oral or anal sexual intercourse with another person,
- forcibly,
- and/or against that person's will (non-consensually), or
- not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

**Sexual Assault with an Object:**

- The use of an object or instrument to penetrate,
- however slightly,
- the genital or anal opening of the body of another person,
- forcibly,
- and/or against that person's will (non-consensually),
- or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

**Forcible Fondling:**

- The touching of the private body parts (buttocks, groin, breasts), of another person.
- for the purpose of sexual gratification,
- forcibly,
- and/or against that person's will (non-consensually),
- or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

*The definition of **consent** (as applied to the offenses listed above which include a non-consensual component):*

- New York Tech uses an affirmative consent standard. Affirmative consent is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of

itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

Furthermore:

1. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
2. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
3. Consent may be initially given but withdrawn at any time.
4. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
  - o It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.
5. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
6. When consent is withdrawn or can no longer be given, sexual activity must stop.

#### **4. Dating Violence, defined as:**

1. violence,
2. on the basis of sex,
3. committed by a person,
4. who is or has been in a social relationship of a romantic or intimate nature with complainant.
  - o The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:
    1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    2. Dating violence does not include acts covered under the definition of domestic violence.

#### **5. Domestic Violence, defined as:**

1. violence,
2. on the basis of sex,
3. committed by a current or former spouse or intimate partner of the complainant,
4. by a person with whom the complainant shares a child in common, or
5. by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner, or
6. by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the applicable state or

7. by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the applicable state.

#### **6. Stalking, defined as:**

- engaging in a course of conduct,
- on the basis of sex,
- directed at a specific person, that
  1. would cause a reasonable person to fear for the person's safety, or
  2. the safety of others; or
  3. suffer substantial emotional distress.

*For the purposes of this definition:*

1. Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant.
3. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

#### **OTHER INSTITUTIONAL SEX-BASED OFFENSES**

In addition to the forms of gender-based misconduct described above, which fall within the coverage of Title IX, New York Tech additionally prohibits the following offenses as forms of sexual or gender-based misconduct outside of Title IX.

#### **7. Sexual Exploitation, defined as:**

1. taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and
2. such conduct does not otherwise constitute a violation under this policy.

Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism
- Prostituting another person
- Forcing a person to take an action against that person's will by threatening to show, post, or share information that depicts the person's nudity or sexual activity
- Taking and/or sharing pictures, video, or audio recording of another in a sexual act when there is a reasonable expectation of privacy during the activity, without the consent of all involved
- Creation, possession, or dissemination of child pornography

#### **8. Non-Consensual Sexual Contact:**

- Contact with Respondent
  1. Either through force or without the person's consent,

2. intentionally causing the other person to touch or make contact with respondent's sexual or intimate parts
- Other Sexual-Based Contact
    1. Touching non-private parts of the body (e.g. squeezing, grabbing, or pinching) of another person
    2. for the purpose of sexually degrading or abusing them or for the purpose of gratifying respondent's sexual desire.

### 9. New York State Sexual Harassment:

- unwelcome conduct,
- of a sexual nature or based on a person's gender / gender stereotypes, including sexual orientation, gender identity or expression
- determined by a reasonable person
- to be more than a petty slight or trivial inconvenience
- that unreasonably interferes with an individual's work performance or ability to participate in or benefit from the institution's programs or activities or creates an intimidating, hostile, or offensive environment for working, learning or otherwise participating in university programs and activities.

### Procedures for Reporting

If a student or employee has experienced dating violence, domestic violence, sexual assault, or stalking, they have the right to make a criminal report to law enforcement, and/or to make a conduct report to New York Tech, but do not have to do either. It is their decision whether to make a report of any kind, but they should be aware of the university's limitation on confidentiality as described in the Gender-Based Misconduct Policy. Law enforcement will also have its own obligations to pursue the matter once a report is made to them that New York Tech community members should be aware of.

Pending the decision to report, individuals are strongly encouraged to take immediate steps to preserve all evidence that might support a future report or an investigation by the police, by New York Tech, or both. These steps are described [here](#) in the Gender-Based Misconduct Policy.

### Reporting to the Police

Campus Security offices can assist a student in making a report to the local police department or the student may contact the police department directly.

In an emergency, call 911 first.

### Long Island:

Campus Security: 516.686.7789

Nassau County Special Victims Squad: 516.573.8055

### New York City:

Campus Security: 212.261.1536

NYPD Special Victims Division: 646.610.7272

**NYITCOM-Jonesboro**

A-State University Police: 870.972.2093  
Jonesboro Police: 870.935.5657

It is important to remember that the criminal justice process is separate from the university's conduct process. Decisions by law enforcement regarding whether or not to arrest or prosecute an individual do not determine if a violation of policy has occurred.

**Reporting to New York Tech**

The Title IX Coordinator is responsible for overseeing and coordinating the institution's Title IX and Gender-Based Misconduct compliance efforts, including ensuring the prompt and effective investigation and response to complaints. The Title IX coordinator also provides leadership to the Deputy Title IX Coordinators who assist in compliance efforts. The Deputy Title IX Coordinators serve as the primary Title IX officials for students.

Students and employees should contact the Title IX Coordinator or one of the Deputy Title IX Coordinators to make a report of dating violence, domestic violence, sexual assault, or stalking or to discuss questions or concerns related to the Gender-Based Misconduct Policy; however, please note that these individuals cannot guarantee confidentiality to students who report, as discussed further in the [policy](#). Other options for making a report can be found [here](#). Whenever a report is made, the institution will provide the reporting individual with a written explanation of their rights and options, including whether to pursue disciplinary action.

There is no time limitation on providing notice/complaints to the Title IX coordinator. However, if the Respondent is no longer subject to the institution's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

**A. TITLE IX COORDINATOR**

Melissa D. Pond, Esq.  
Equity Officer, Title IX and 504 Coordinator  
New York Institute of Technology  
Tower House, Room 106  
Old Westbury, NY 11568  
516.686.1080  
[mpond@nyit.edu](mailto:mpond@nyit.edu)

**B. DEPUTY TITLE IX COORDINATORS****Long Island:**

Deanna Bertini, Associate Director of Student Engagement  
Student Activities Center, Room 205  
Old Westbury, NY 11568  
516.686.1155  
[dbertini@nyit.edu](mailto:dbertini@nyit.edu)

Kristin Cohen, Associate Dean, Student Administration  
NYIT College of Osteopathic Medicine  
Serota Hall, Room 213

Old Westbury, NY 11568  
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870.972.8805  
[derrick.dixon@nyit.edu](mailto:derrick.dixon@nyit.edu)

**Employees—All Campuses:**

Katherine Zuliani, Director, Human Resources  
North House, Room 204  
Old Westbury, NY 11568  
516.686.7421  
[kzuliani@nyit.edu](mailto:kzuliani@nyit.edu)

**Confidentiality**

All employees (faculty, staff, administrators) are expected to report incidents of dating violence, domestic violence, sexual assault, and stalking to the Title IX Coordinator immediately, though there are some limited exceptions where confidentiality may be offered, such as from the Office of Counseling and Wellness. The Gender-Based Misconduct Policy further describes the [disclosure options](#) and who may maintain confidentiality.

However, as described in the Gender-Based Misconduct Policy, even New York Tech offices and employees who cannot guarantee confidentiality will maintain a disclosing party's privacy to the greatest extent possible. The information a disclosing party provides to a non-confidential resource will be relayed only as necessary for the institution to investigate and/or seek a resolution.

**Request for Confidentiality**

If a disclosing party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the disclosing party may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus community and comply with federal law.

Declining to consent to an investigation shall be honored unless the institution determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the reporting

individual or other members of the community. In weighing such a request, the Title IX Coordinator will consider the factors set forth in the Gender-Based Misconduct Policy. If the institution determines that an investigation is required, it shall notify the disclosing party and take immediate action as necessary to protect and assist them.

In cases where the disclosing party requests confidentiality and the circumstances allow New York Tech to honor that request, the institution will offer interim support and remedies to the disclosing party and the community, but will not otherwise pursue formal action. This means that the university's ability to remedy and respond to a reported incident may be limited if the disclosing party does not want the institution to proceed with an investigation and/or wishes to remain anonymous.

## Reporting by New York Tech

The Gender-Based Misconduct Policy states that the university is required to report incidents of dating violence, domestic violence, sexual assault, and stalking that occur on our campuses or in other specified areas for purposes of this Annual Security Report. The policy provides that parties' identifying information and specifics of the incident will be kept confidential for such reporting purposes.

The Gender-Based Misconduct Policy also includes a statement that New York Tech is required to issue timely warnings of certain crimes that occur at on-campus locations if the crime represents a serious or continuing threat to the campus community. The policy explains that New York Tech will ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

## Resources and Protective Measures

The Gender-Based Misconduct Policy includes written notice to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within New York Tech and in the community. These resources may be found [here](#) and are provided to individuals upon disclosure.

The Gender-Based Misconduct Policy also provides notice to victims about options for, available assistance in, and how to request no contact orders; changes to academic, living, transportation and working situations; or other protective measures. A description of these options is available [here](#) and may include the following:

1. Issuing of no-contact orders to prevent contact between the disclosing party, the responding party, witnesses, and/or third parties to ensure the safety of all parties and the integrity of the process. These orders may be mutual or non-mutual as deemed appropriate by New York Tech officials.
2. Providing the disclosing party an escort to ensure that they can move safely between classes, work, and/or activities.
3. Changing a party's on-campus housing, and providing assistance from New York Tech support staff in completing the relocation.
4. Rescheduling class work, assignments, and examinations.
5. Changing work arrangements or schedules.

6. Providing academic support services, which may include alternative options for course completion or withdrawal.
7. Providing visa and immigration assistance.
8. Providing student financial aid counseling.
9. Limiting an individual or organization's access to certain facilities or activities pending resolution of the matter.
10. Interim suspension of a responding party or organization pending resolution of the matter.

As stated in the policy, New York Tech will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to law enforcement or campus security. New York Tech will maintain as confidential any interim or protective measures, provided confidentiality does not impair New York Tech's ability to provide the measures.

The policy also describes the availability of an order of protection (sometimes known as a "restraining order"), which is issued by state courts. While New York Tech does not issue orders of protection, the institution will assist a member of the community in obtaining an order of protection, as described [here](#). New York Tech will also ensure that those impacted by an order of protection understand the availability of an order, the content and parameters of an order, and the consequences for violating an order, including but not limited to arrest, additional conduct charges, and interim suspension. Campus Security at all campuses will also provide assistance to reporting parties in calling on and assisting local law enforcement in effecting an arrest for violation of an order of protection.

## Disciplinary Procedures

When an alleged violation of New York Tech's Gender Based Misconduct Policy is reported, the allegations are subject to resolution using either the institution's [Title IX Procedure](#), or using the procedures set forth in the [Discriminatory Harassment Policy](#) for employees or the [Student Code of Conduct](#) for students (subject to a complainant's desire to move forward with a disciplinary process, or subject to the institution's requirement to move forward if certain risk factors exist). The applicable procedure will be determined by the Title IX coordinator, as described in the Title IX procedure. The Title IX procedure will apply to any student or employee disciplinary action concerning sexual assault, dating violence, domestic violence, stalking, or other forms of sexual harassment, provided they meet the jurisdictional requirements.

All student and employee conduct proceedings for cases of dating violence, domestic violence, sexual assault, and stalking will include a prompt, fair, and impartial process from the initial investigation to the final result. The institution's procedures include provisions to ensure there are no conflicts of interest by any administrator involved in the disciplinary process.

Moreover, disciplinary proceedings for these incidents will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the

safety of the victims and promotes accountability. These trainings may be conducted in-house by the Title IX Coordinator or externally through a qualified training provider.

The institution's procedures also provide the accuser and accused with the same opportunities to have an advisor present during all phases of a disciplinary proceeding for a Gender-Based Misconduct offense, which includes the opportunity to be accompanied by an advisor of their choice to any related meeting or proceeding. New York Tech does not limit who may serve as an advisor. However, the advisor for either party is not allowed to participate in the meetings or proceedings, except as permitted under the Title IX Procedures for cases falling within Title IX jurisdiction.

Additionally, New York Tech's procedures provide for simultaneous written notice to both the accuser and the accused of the result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking, the procedures for the parties to appeal the result of the proceeding, any change to the result, and when such results become final. In all institutional procedures, both parties have the right to appeal decisions.

All disciplinary procedures use a preponderance of the evidence standard of proof, meaning that the evidence, considered as a whole, indicates that it is more likely than not that the alleged behavior did violate the institution's Gender-Based Misconduct Policy. The burden of proof rests with the institution. The charged individual is presumed to be not in violation, and his or her responsibility must be established to the satisfaction of the applicable decision-making body by a preponderance of the evidence.

A number of other rights are provided to both the accused and accuser in disciplinary proceedings to ensure fairness, including timely notice of charges and possible sanctions, access to informational meetings and to the investigation file, and the ability to present evidence and witnesses.

Given the number of different disciplinary procedures that could apply and the intricacy of those procedures, New York Tech advises its students and employees to review these procedures in their complete form at the following links for more information about each type of proceeding.

Each procedure linked below provides information on its application, the steps in the process, the anticipated timelines, and details on the decision-making process, as well as information regarding parties' rights and expectations in each process.

- [Title IX Procedure](#)
- [Discriminatory Harassment Policy](#)
- [Student Code of Conduct](#)
- [NYITCOM Code of Conduct](#)

## Sanctions

Regardless of which procedure is utilized, New York Tech reserves the right to impose any level of sanction, ranging from a warning to expulsion/termination for any offense under the Gender-Based Misconduct Policy, based on the facts and circumstances of the particular allegation.

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination for violation of New York Tech's Gender-Based Misconduct Policy:

Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any institutional policy will result in more severe sanctions/responsive actions.

**Required Counseling:** A mandate to meet with and engage in either institution-sponsored or external counseling to better comprehend the misconduct and its effects.

**Probation:** A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

**Suspension:** Termination of student (or housing) status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at New York Tech.

**Expulsion:** Permanent termination of student (or housing) status and revocation of rights to be on campus for any reason or to attend institution-sponsored events.

**Withholding Diploma:** New York Tech may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.

**Revocation of Degree:** New York Tech reserves the right to revoke a degree previously awarded from the institution for fraud, misrepresentation, and/or other violation of institutional policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

**Organizational Sanctions:** Deactivation, loss of recognition, loss of some or all privileges (including institutional registration) for a specified period of time.

**Other Actions:** In addition to or in place of the above sanctions, New York Tech may assign any other sanctions as deemed appropriate, such as education assignments or apology letters.

For crimes of sexual violence as defined under the Clery Act, New York Tech will make a notation on the transcript of students found responsible and given a sanction of suspension and/or expulsion. Appeals to seek the removal of transcript notations of suspensions may be submitted in writing to the Title IX coordinator no less than one year following the conclusion of the suspension period.

The following are the usual sanctions that may be imposed upon employees singly or in combination for violation of New York Tech's Gender-Based Misconduct Policy:

Warning – Verbal or Written; Performance Improvement Plan/Management Process; Enhanced Supervision, Observation, or Review; Required Counseling; Required Training or Education; Denial of Pay Increase/Pay Grade; Loss of Oversight or Supervisory Responsibility; Demotion; Transfer or Reassignment; Assignment to New Supervisor; Restriction of Stipends, Research, and/or Professional Development Resources; Suspension With or Without Pay; Termination.

New York Tech may assign other responsive actions as deemed appropriate. Employee sanctions will be in accordance with applicable collective bargaining agreement provisions.

## Timely Warnings and Emergency Notifications

In the event that a crime occurs on campus that in the judgment of New York Tech constitutes an ongoing or continuing threat to the New York Tech community, a campus-wide “timely warning” will be issued by the Office of Capital Planning and Facilities. Campus Security will typically work with the Office of Strategic Communications and other institutional leadership, where appropriate, to develop the content of the message and disseminate it appropriately.

Timely warnings are usually issued for major incidents of arson, criminal homicide and robbery. Incidents of aggravated assault and sex offenses are considered on a case-by-case basis after reviewing the facts and deciding whether there is a continuing danger to the campus community and the information known by Campus Security. The timely warnings will be issued through some or all of the following systems: the college email system, text message alert system, posting to the nyit.edu home page and at nyit.edu/alerts, and/or posting internally on the my.nyit.edu portal for all faculty, staff, and students. The warning may also be posted on New York Tech’s digital sign network throughout its campus(es).

Anyone with information warranting a timely warning should report the circumstances to the Office of Campus Security by phone (516.686.7789 - Long Island, 646.273.7789 – New York City) or in person at the Office of Campus Security.

Information on Timely Warnings, Emergency Notifications, and Evacuation Procedures at the NYITCOM-Jonesboro campus may be obtained from [A-State’s Annual Security Report](#).

### ***Notifications in the Event of an Emergency***

As required by law, New York Tech has a comprehensive emergency operations plan that details immediate response and evacuation procedures for all emergencies that may occur on or off campus and that are not limited to Clery Act crimes. The institution will, without delay, and taking into account the safety of the community, determine the content of the notification system and initiate the notification system unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.

The Office of Campus Security has the responsibility of responding to and summoning the necessary resources to mitigate, investigate, and document any situation that may constitute an emergency or dangerous situation. When a serious incident occurs that causes an immediate threat to campus, the first responders are typically Campus Security and the local police and/or fire departments who work together to manage the incident.

The Associate Director of Safety and Security or their designee has the authority to confirm a significant emergency or dangerous situation and to work with Strategic Communications and the Vice President of Capital Planning and Facilities in developing the content of the notification, determining the appropriate segment(s) of the campus community to receive the notification, and initiating the notification system.

In the event of emergencies or campus delays/closures, New York Tech contacts students, faculty, and staff via text message (SMS) or voice messages. Notifications are also posted at [nyit.edu/alerts](https://nyit.edu/alerts) and displayed prominently throughout the website, and may also be distributed through the university’s digital sign network and/or the my.nyit.edu online portal.

## Evacuation Policies and Procedures

Emergency procedures for specific incidents may be found [here](#).

In the event of an emergency in a New York Tech-operated building, an immediate response is critical. The time between recognition of an emergency and evacuation response can be the difference between life and death. Every case will be different. In some cases, individual departmental staffs have specific evacuation guidelines based upon the needs of that area. (Departments with such guidelines should provide these plans to the Office of Campus Security).

Examples of emergencies requiring evacuation include:

- Fire, smoke (visible or smell).
- Smell of gas (natural or vehicular).
- Bomb threat or explosion.
- Natural disaster or hazardous weather.
- Terrorism, threat, or violent incident.

## Preparedness

All community members/departments should:

- Know the locations of alarm pull stations, fire extinguishers, and emergency exits.
- Consider potential escape routes.
- Make sure all hallways and escape routes are clear.
- Place Office of Campus Security phone number stickers on their phone.
- Carry a laminated New York Tech emergency information card with them at all times.
- Develop an emergency phone chain (with home and cell phone numbers).
- Designate an off-campus evacuation meeting place.
- Make the Office of Campus Security aware of individuals within their department who may need special assistance during an emergency.
- Make the Office of Campus Security aware of any chemicals or other items that may be of concern during an emergency.

Office of Campus Security will:

- Know and clearly mark designated locations of alarm pull stations, fire extinguishers, and emergency exit doors.
- Identify any individuals who may require special attention, such as persons with disabilities, and their locations on campus.
- Identify location of chemicals or other items that may be of concern during an emergency.
- Develop emergency location posts for individuals to move toward in the event of evacuation (100 feet from building).
- Maintain clear hallways and escape routes in all buildings.
- Identify and train fire evacuation wardens.

## Objective

Rapidly and safely evacuate all individuals from the building.

## Notification

Follow the established chain of primary responders. If the situation has caused loss of life or lives are threatened, immediately call 911. The Office of Campus Security will be the first New York Tech responders in all emergency events and should be notified immediately. If Campus Security decides

to evacuate a building, its officers and/or the emergency evacuation wardens will act to secure building occupants.

## Procedures

### For Building Occupants:

- Activate building fire alarm system.
- If the situation has caused loss of life or lives are threatened, immediately call 911.
- Call the Office of Campus Security/local law enforcement:
  - Long Island: 516.686.7789
  - New York City: 646.273.7789
  - New York City residences (non-campus): 911
- Move people who require special attention, such as persons with disabilities, to a secure area near the stairwells, and make emergency responders aware of their location immediately upon arrival at the scene.
- Exit building, move at least 100 feet from building, and wait for further instructions.

### For Primary Responders:

- Respond to scene; initiate emergency response phone chain by calling vice president of information technology and infrastructure.
- Notify all building occupants of the emergency and the need to evacuate the building.
- Identify any individuals with special needs and provide assistance as necessary.
- Advise evacuees to use staircases for escape. Prohibit use of elevators.
- Move evacuees toward designated emergency location posts (100 feet from building). Identify alternative locations if designated locations are blocked or impacted by the emergency.

## Evacuation of Persons with Disabilities

The following guidelines should be considered in evacuating persons with disabilities:

- Communicate the nature of the emergency to the person.
- Ask the person how you can assist.
- If possible, evacuate mobility aids with the person (i.e., crutches, wheelchairs).

### Visual Impairments

Describe the nature of the emergency and offer to guide the person to the nearest emergency exit. Have the person take your elbow and escort him or her, advising of any obstacles such as stairs, narrow passageways, or overhanging objects. When you have reached safety, orient the person to where you are, and ask if further assistance is needed.

### Hearing Impairments

Most buildings are not equipped with flashing light alarms, and persons with impaired hearing may not perceive that an emergency exists. Communicate with the person by writing a note or using simple hand gestures.

### Persons Using Wheelchairs

Ask the person what method of assistance he or she prefers. Some people have minimal ability to move, and lifting them may be dangerous. Some persons using wheelchairs have respiratory complications; remove them from smoke or fumes immediately. If the disabled person wants to be moved in the wheelchair, keep the following considerations in mind:

- Ask if he/she wants to move forward or backward down stairs.
- Wheelchairs have many movable or weak parts.
- Some persons have no upper trunk or neck strength.
- Power wheelchairs have very heavy batteries; an evacuation chair may be needed and the chair retrieved later.
- If a seatbelt is available, use it.
- Do not attempt to move a person in a wheelchair by yourself; seek help.
- Ask how to remove him or her from the wheelchair.
- Ask whether to move the person's extremities or not.
- Ask whether the seat cushion or pad should be brought.

## Testing

On at least an annual basis, New York Tech will conduct tests of its emergency response and evacuation procedures. During these tests, students and employees learn the locations of the emergency exits in the buildings, the direction they should travel when exiting each facility, and their designated rallying points. These tests may be announced or unannounced. In conjunction with at least one test per year, New York Tech will publicize its emergency response and evacuation procedures. Campus Security, under the Office of Capital Planning and Facilities, is responsible for coordinating the tests. For each specific test, New York Tech will document a description of the exercise, the date, time, and whether the test was announced or unannounced.

## How to Report Criminal Offenses

All students and employees are encouraged to accurately and promptly report all crimes to campus security and local law enforcement.

In an emergency, call 911 first. Then call Campus Security at:

**Long Island:** 516.686.7789

**New York City:** 646.273.7789

In a non-emergency, call Campus Security at:

**Long Island:** 516.686.7789

**New York City:** 646.273.7789

For NYITCOM-Jonesboro, call 870.972.2093 for both emergency and non-emergency security and public safety matters occurring on that campus.

## Local Police Department Contact Information

### Long Island

- Old Westbury Police Department: 516.626.0200
- Brookville Police Department: 516.440.2300
- Nassau County Police Department, 2nd Precinct: 516.573.6200
- Nassau County Police Department, 3rd Precinct: 516.573.6300

### New York City

- NYPD 20th Precinct – Main Campus: 212.580.6411
- NYPD 24th Precinct – Riverside Residence: 212.678.1811

- NYPD 26<sup>th</sup> Precinct – 1777 Lexington Ave. Residence (2022 school year only): 212.678.1311
- NYPD 28<sup>th</sup> Precinct – 525 Lexington Ave. Residence (2023 school year only): 212.678.1611

#### **NYITCOM-Jonesboro**

- Jonesboro Police Department: 870.935.5657

If you feel more comfortable, report the incident to the dean of campus life (Long Island: 516.686.7635 or New York City: 212.261.1682) or the director of residential life and off-campus housing (Long Island: 516.686.1402 or New York City: 212.261.1727). For NYITCOM-Jonesboro, you may report to the Assistant Dean for Students at 870.680.8805 or the A-State residence life staff at 870.972.2042.

### ***How to Confidentially Report a Crime***

Persons wanting to report a crime or incident can do so confidentially by contacting the Office of Campus Security at:

**Long Island:** 516.686.7789  
**New York City:** 646.273.7789

Persons wishing to remain confidential should begin the conversation with the Office of Campus Security personnel by stating that confidentiality is requested. The reporting person's name, if provided, will be kept confidential in appropriate circumstances. Confidentiality under certain circumstances cannot be guaranteed.

For students at NYITCOM-Jonesboro wishing to report crimes on a voluntary and confidential basis, they can do so by using the form at [astate.edu/a/police/online-forms/silent-witness.dot](http://astate.edu/a/police/online-forms/silent-witness.dot).

Statistics for all reportable crimes will be included in the annual crime statistics report without divulging the person's name or any other information that would infringe on his/her confidentiality, if applicable.

### **Counselors and Confidential Crime Reporting**

Campus “Professional Counselors,” when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

**Definition of a Professional Counselor:** An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who functions within the scope of his/her license or certification.

### **Accommodations**

New York Tech will maintain as confidential any accommodations or protective measures provided to victims of crimes to the extent that maintaining such confidentiality does not impair the ability of the institution to provide the accommodations or protective measures.

## Disclosure

In addition, New York Tech will, upon written request, disclose to an alleged victim of a crime of violence or non-forcible sex offense the report on the results of any conduct proceeding against the alleged perpetrator. No written request is required when a violation of New York Tech's Gender-Based Misconduct Policy has occurred. If the alleged victim is deceased as a result of such crime or offense, the next of kin of the victim will be treated as the alleged victim for purposes of this paragraph.

## Alcoholic Beverages and Illegal Drug Possession

New York Tech, as part of its mission to provide career-oriented professional education to its students, recognizes the importance of providing an environment that is conducive to learning and free of substance abuse. The U.S. Department of Education has issued regulations for implementation of the provisions of the Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226). To comply with these regulations, New York Tech annually distributes in writing to each student the following information:

- Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students on New York Tech property or as part of any New York Tech activities.
- Description of applicable local, state, and federal legal sanctions pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol.
- Description of health risks associated with the use of illicit drugs and the abuse of alcohol.
- Description of available substance abuse counseling and treatment programs on and off campus.
- Clear statement of the disciplinary sanctions that New York Tech will impose on students who violate the standards of conduct.

The laws and policy included apply to domestic students. Students at New York Tech's campuses outside of the United States must be aware of and follow the applicable campus policies and laws of their respective countries.

New York Tech conducts a biennial review of its drug and alcohol abuse policy and program to determine its effectiveness, implement necessary changes, and assure that disciplinary sanctions are consistently enforced. The review is conducted by the Alcohol and Other Drug Task Force.

New York Tech's [policy and procedures for responding to an alcohol or other drug emergency](#) are published online.

The New York Tech [Alcohol and Other Drug Policy](#) may also be found online under [Policies and Procedures](#).

Students and employees at NYITCOM-Jonesboro are subject to the Alcohol and Other Drug Policy and at times may also be subject to A-State's Alcohol and Other Drug Policy, if conduct occurs on the A-State campus. This may be found in [A-State's Annual Security Report](#).

## Prevention Programs

New York Tech has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals, and

college disciplinary actions. The Division of Student Affairs coordinates the bulk of these programs through the offices of Campus Life and Counseling and Wellness.

All incoming undergraduate students are required to complete an online course on drug and alcohol abuse prevention, entitled AlcoholEdu. Examples of additional programs regularly provided to students include: National Collegiate Alcohol Awareness Week, Great American Smoke Out, National Drunk and Drugged Driving Month, Safe Spring Break, and Substance-Abuse Awareness presentations infused into the curriculum.

## ***Local, State, and Federal Drug and Alcohol Laws***

In addition to New York Tech's policy prohibiting the consumption, possession, distribution, use, sale, or supply of alcohol on all New York Tech property, or as part of any college activity—on or off campus—regardless of the individual's age, the States of New York and Arkansas set 21 as the minimum age to purchase or possess any alcoholic beverage. These state laws regarding underage drinking are also enforced at all domestic campuses. The [Alcohol and Other Drug Policy](#) provides information on additional state laws regarding alcohol.

New York Tech's policy strictly prohibits the possession, usage, and sale of illegal drugs on its campuses. Federal, state, and local laws pertaining to the use and sale of illegal drugs, narcotics, and other controlled substances also apply on all New York Tech owned or leased property, including all residence halls.

A violation of any law regarding alcohol or illegal drugs is also a violation of the Alcohol and Other Drug Policy and will be treated as a separate disciplinary matter by New York Tech.

## **Missing Student Notification Policy and Procedures**

If a member of the New York Tech community has reason to believe that a student who resides in on-campus housing is missing, he/she should immediately notify A-State UPD, who will work with A-State Residence Life staff to initiate an investigation.

Students residing in on-campus housing will be asked to identify confidentially an individual to be contacted by A-State UPD in the event the student is determined to be missing for more than 24 hours. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

After investigating a missing person report, should A-State UPD determine that the student has been missing for 24 hours, it will notify law enforcement and the student's emergency contact no later than 24 hours after the student is determined to be missing.

Similar procedures are in place for students residing in off-campus housing at our Long Island and New York City campuses who are believed to be missing.

Please visit the [A-State Annual Security Report](#) for additional information.

## **Sex Offender Registration**

Information regarding a registered sex offender can be obtained by calling the New York State Sex Offender Registry Information Line at 1.800. 262.3257 or [online](#). Arkansas sex offender information can be found [here](#).

## Statement on Non-Discrimination

New York Institute of Technology does not discriminate in admissions, access to, operation of, treatment or employment in its programs and activities on the basis of race, color, national origin, religion, creed, ethnicity, disability, age, marital status, sex, gender, gender identity or expression, sexual orientation, veteran status, reproductive health decisions, or any other legally protected status.

Title IX of the Educational Amendments of 1972 prohibits New York Institute of Technology from discriminating on the basis of sex or gender in its education programs and activities. The following person has been designated to handle inquiries regarding this non-discrimination statement or inquiries regarding Title IX or Section 504 of the Rehabilitation Act of 1973, including the reporting of complaints under such sections:

Melissa D. Pond, Esq.  
Equity Officer, Title IX and 504 Coordinator  
New York Institute of Technology  
Tower House, Room 106  
Old Westbury, NY 11568  
516.686.1080  
[mpond@nyit.edu](mailto:mpond@nyit.edu)

Individuals may also contact the [U.S. Department of Education's Office for Civil Rights](#).

Access New York Tech's Title IX [grievance policy](#) and [procedure](#).

## Clery Act Crime Statistics

The following statistics were reported to the U.S. Department of Education in the 2023 "Campus Safety and Security Survey," in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. An institution must disclose statistics for reported Clery crimes that occur within its Clery-defined geography (on campus, on public property within or immediately adjacent to the campus, and in or on non-campus buildings or property owned or controlled by the institution). Statistics were obtained from local police departments and other institutions, as well as from Campus Security, the Title IX and Equity Office, and the Student Life offices at each campus.

Statistics for the Jonesboro, Arkansas, campus include all incidents occurring on the A-State campus and surrounding public property, except for those residence halls where New York Tech students were not living in indicated years. Statistics for the non-campus portion of the Long Island campus include all incidents occurring on the State University of New York ("SUNY") Old Westbury campus (where New York Tech residence halls were located until their closure in 2020), except for those residence halls where New York Tech students were not living in applicable years.

## New York Institute of Technology Crime Statistics – New York City

| Category                            | On Campus |      |      | Non-campus**<br>(incl. housing) |      |      | Public Property |      |      | On Campus<br>Residence Halls |      |      |
|-------------------------------------|-----------|------|------|---------------------------------|------|------|-----------------|------|------|------------------------------|------|------|
|                                     | 2020      | 2021 | 2022 | 2020                            | 2021 | 2022 | 2020            | 2021 | 2022 | 2020                         | 2021 | 2022 |
| Murder / Non-Negligent Manslaughter | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Negligent Manslaughter              | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Sex Offenses                        |           |      |      |                                 |      |      |                 |      |      |                              |      |      |
| Rape                                | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Incest                              | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Fondling                            | 0         | 0    | 1    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Statutory Rape                      | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Stalking                            | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Domestic Violence                   | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Dating Violence                     | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Robbery                             | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Aggravated Assault                  | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Burglary                            | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Motor Vehicle Theft                 | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Arson                               | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Arrests for Alcohol                 | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Discipline for Alcohol              | 0         | 0    | 0    | 0                               | 0    | 14   | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Arrests for Drugs                   | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Discipline for Drugs                | 0         | 0    | 0    | 0                               | 0    | 14   | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Arrests for Weapons                 | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Discipline for Weapons              | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Hate Crimes                         |           |      |      |                                 |      |      |                 |      |      |                              |      |      |

## New York Institute of Technology Crime Statistics – Long Island

| Category                            | On Campus |      |      | Non-campus**<br>(incl. housing) |      |      | Public Property |      |      | On Campus<br>Residence Halls |      |      |
|-------------------------------------|-----------|------|------|---------------------------------|------|------|-----------------|------|------|------------------------------|------|------|
|                                     | 2020      | 2021 | 2022 | 2020                            | 2021 | 2022 | 2020            | 2021 | 2022 | 2020                         | 2021 | 2022 |
| Murder / Non-Negligent Manslaughter | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Negligent Manslaughter              | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Sex Offenses                        |           |      |      |                                 |      |      |                 |      |      |                              |      |      |
| Rape                                | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Incest                              | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Fondling                            | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Statutory Rape                      | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Stalking                            | 0         | 0    | 1    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Domestic Violence                   | 0         | 0    | 0    | 1                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Dating Violence                     | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Robbery                             | 0         | 0    | 0    | 1                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Aggravated Assault                  | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Burglary                            | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Motor Vehicle Theft                 | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Arson                               | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Arrests for Alcohol                 | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Discipline for Alcohol              | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Arrests for Drugs                   | 0         | 0    | 0    | 1                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Discipline for Drugs                | 0         | 0    | 0    | 25                              | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Arrests for Weapons                 | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Discipline for Weapons              | 0         | 0    | 0    | 0                               | 0    | 0    | 0               | 0    | 0    | n/a                          | n/a  | n/a  |
| Hate Crimes                         |           |      |      |                                 |      |      |                 |      |      |                              |      |      |

\*\* For 2020, these numbers include incidents occurring anywhere on the SUNY Old Westbury campus, where the New York Tech residence halls were located, except for incidents occurring in residence halls where New York Tech students were not assigned. This means those numbers for alcohol, drug, and weapons offenses, as with the other crimes listed, include non-New York Tech individuals.

## New York Institute of Technology Crime Statistics – Jonesboro, Arkansas\*

| Category                            | On Campus |      |      | Non-campus |      |      | Public Property |      |      | On Campus Residence Halls |      |      |
|-------------------------------------|-----------|------|------|------------|------|------|-----------------|------|------|---------------------------|------|------|
|                                     | 2020      | 2021 | 2022 | 2020       | 2021 | 2022 | 2020            | 2021 | 2022 | 2020                      | 2021 | 2022 |
| Murder / Non-Negligent Manslaughter | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 0    | 0    |
| Negligent Manslaughter              | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 0    | 0    |
| Sex Offenses                        |           |      |      |            |      |      |                 |      |      |                           |      |      |
| Rape                                | 3         | 4    | 2    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 4    | 1    |
| Incest                              | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 0    | 0    |
| Fondling                            | 4         | 1    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 1    | 0    |
| Statutory Rape                      | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 0    | 0    |
| Stalking                            | 2         | 3    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 0    | 0    |
| Domestic Violence                   | 4         | 2    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 2                         | 1    | 0    |
| Dating Violence                     | 0         | 4    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 4    | 0    |
| Robbery                             | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 1    | 0    |
| Aggravated Assault                  | 3         | 0    | 1    | 0          | 0    | 0    | 1               | 0    | 0    | 3                         | 0    | 0    |
| Burglary                            | 2         | 2    | 1    | 0          | 1    | 0    | 0               | 0    | 0    | 1                         | 2    | 1    |
| Motor Vehicle Theft                 | 0         | 0    | 1    | 0          | 0    | 0    | 0               | 0    | 1    | 0                         | 0    | 0    |
| Arson                               | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 0    | 0    |
| Arrests for Alcohol                 | 1         | 0    | 14   | 0          | 0    | 0    | 0               | 0    | 0    | 0                         | 0    | 5    |
| Discipline for Alcohol              | 55        | 30   | 25   | 0          | 1    | 0    | 35              | 1    | 6    | 39                        | 21   | 9    |
| Arrests for Drugs                   | 6         | 7    | 12   | 0          | 0    | 0    | 9               | 16   | 11   | 1                         | 0    | 0    |
| Discipline for Drugs                | 28        | 13   | 18   | 0          | 0    | 0    | 0               | 3    | 4    | 17                        | 9    | 8    |
| Arrests for Weapons                 | 4         | 2    | 2    | 0          | 0    | 0    | 0               | 1    | 1    | 2                         | 1    | 0    |
| Discipline for Weapons              | 2         | 1    | 2    | 0          | 0    | 0    | 0               | 0    | 0    | 1                         | 0    | 0    |

\* These numbers include incidents occurring anywhere on the A-State campus and its surrounding public property, except for those residence halls where New York Tech students were not living. This means the numbers for alcohol, drug, and weapons offenses, as with the other crimes listed, include non-New York Tech individuals.

# 2023 Fire Safety Report

Currently, New York Tech maintains housing for students at its Jonesboro, Arkansas campus. These residence halls are part of Arkansas State University facilities. In 2022, two residence hall facilities were utilized by NYITCOM students at the A-State campus. For information on the following required fire safety policies and procedures, please refer to [A-State’s Annual Fire Safety Report](#):

- Fire Safety Systems at Student Housing Facilities
- Fire Safety and Education
- Fire Drills
- Non-Permitted Items, Open Flame, and Smoking Policies
- Fire Safety Education and Training
- Evacuation Procedures for Student Housing in Case of Fire
- Reporting a Fire
- Future Improvements in Fire Safety

## Fire Statistics: On-Campus Student Residential Facilities

### Jonesboro, Arkansas

| Residential Facilities | Total Fires in Each Building | Cause of Fire | Number of Injuries Requiring Treatment at a Medical Facility | Number of Deaths Related to a Fire | Value of Property Damage Caused by Fire |
|------------------------|------------------------------|---------------|--|------------------------------------|---|
| The Village Apartments | 0                            | n/a           | 0  | 0                                  | 0                                       |
| The Circle Apartments  | 0                            | n/a           | 0  | 0                                  | 0                                       |

## Appendices

Additional policies and procedures related to campus safety are available on the university website, at [nyit.edu/policies](https://nyit.edu/policies).

- A. [Advisory Committee on Campus Security Policy](#)
- B. [Security and Emergency Procedures](#)
- C. [Bias/Hate Crimes](#)
- D. [Alcohol and Other Drugs Policy](#)
- E. [Gender-Based Misconduct Policy](#)